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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,347	09/22/2003	Teruyuki Maruyama	243043US2	7039
22850	7590	06/12/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
LAI, MICHAEL C				
ART UNIT		PAPER NUMBER		
2157				
NOTIFICATION DATE		DELIVERY MODE		
06/12/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/665,347

Applicant(s)

MARUYAMA, TERUYUKI

Examiner

MICHAEL C. LAI

Art Unit

2157

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 and 42-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 and 42-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/003)
- Paper No(s)/Mail Date 2/17/2004
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is responsive to communication filed on 5/28/2008. In response to the Restriction Requirement dated April 30, 2008, Applicant elects Invention I, Claims 1-25 and 42-49. Claims 1-25 and 42-49 have been examined

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copies have been filed in parent Application No. JAPAN 2002-275976, JAPAN 2002-275978, JAPAN 2002-275985, filed on 9/20/2002.

Specification

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
4. The incorporation of essential material in the specification by reference to an unpublished U.S. application, foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference, if the material is relied upon to overcome any objection, rejection, or other requirement imposed by the Office. The amendment must be accompanied by a statement executed by the applicant, or a practitioner representing the applicant, stating that the material being inserted

is the material previously incorporated by reference and that the amendment contains no new matter. 37 CFR 1.57(f).

Claim Objections

5. Claims 18-22 are objected to because of the following informalities: Claim 18 recites the limitation of "a process **request** creation part creating a process **response** to..." on line 13. Claim 22 recites the limitation of "a process **request** creation step of creating a process **response** to..." on line 12. This is confusing. The examiner suggests that the name matches what it does. Also in claim 18, line 11, "portocol" should be "protocol."
6. All dependent claims are objected to as having the same deficiencies as the claims they depend upon.
Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 1-25 and 42-49 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. These claims are repeated in the Summary of the Invention section of the specification,

without further providing more detailed description. The drawings and the Detailed Description of the Preferred Embodiments section of the specification do not describe claimed invention at all. As a result, the specification does not support claimed invention.

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1-25 and 42-49 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. For example, in the first part of claim 1: "a server processing part controlling receipt of a process request to request a process from a requesting apparatus connected to the Web service providing apparatus via a communication line and transmission of a process response corresponding to the process request to the requesting apparatus in accordance with a predetermined protocol."

Claim Rejections - 35 USC § 101

12. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

13. Claims 1-16, 18-21, 23, 25, 42-45, 47 and 49 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

14. Each of the claimed pieces of claims 1, 18, 23, 42 and 47 are just software. The claims are software per se based on the disclosure since such claims lacking "hardware." Claims 2-16 depend on claim 1. Claims 19-21 depend on claim 18. Claims 43-45 depend on claim 42. The claims are being rejected as non-statutory as directed to a form of software rather than a patent-eligible machine, manufacture, process or composition of matter.
15. Claims 25 and 49 recite the limitation of "A program to cause a terminal to execute a procedure, the procedure comprising..." As such, the claims cover embodiments directed to program code, per se. The claims are being rejected as non-statutory as directed to a form of program rather than a patent-eligible machine, manufacture, process or composition of matter.

Claim Rejections - 35 USC § 102

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

17. Claims 1-14, 17-25, and 42-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamane et al. (US 6,317,786 B1, hereinafter Yamane).

Regarding claim 1, Yamane discloses a Web service providing apparatus, comprising:

a server processing part controlling receipt of a process request to request a process from a requesting apparatus connected to the Web service providing apparatus via a communication line and transmission of a process response corresponding to the process request to the requesting apparatus in accordance with a predetermined protocol [Manager FIG. 1 and col. 16, lines 19-31];

a condition acquisition control part [Agent FIG. 3], in response to an instruction from the server processing part, controlling acquisition of target information designated by the process request from a management apparatus managing the target information based on a first processable condition under which the target information is processable to the management apparatus and the Web service providing apparatus [col. 9, lines 22-37]; and

a service providing part performing the requested process on the target information and sending a result of the process to the server processing part [col. 5, lines 6-28, application].

Regarding claim 2, Yamane further discloses:

a program including the condition acquisition control part and the service providing part [Agent FIG. 1 and col. 9, lines 22-37];

a control service managing a hardware resource used in the process [Agent, col. 11 Table 1]; and

an operating system controlling the program and the control service [col. 9, lines 22-24].

Regarding claim 3, Yamane further discloses a client processing part, in response to an instruction issued by the condition acquisition control part, controlling transmission of a process request to the management apparatus and receipt of a process response from the management apparatus in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14 line 26 through col.16 line 17].

Regarding claim 4, Yamane further discloses wherein the condition acquisition control part comprises;

a sequence control part controlling a sequence of processes to acquire a second processable condition regarding the target information from the management apparatus and internally acquire a third processable condition regarding the target information in the Web service providing apparatus [col. 9 line 63 through col. 12 line 20, Agent interaction with Manager]; and

a condition determination part determining the first processable condition based on the second processable condition and the third processable condition acquired by the sequence control part [col. 12 line 21 through col. 14 line 25, Agent interaction with Web Server Interface].

Regarding claim 5, Yamane further discloses the sequence control part comprises:

a first control part controlling the client processing part so as to acquire the second processable condition from the management apparatus by sending a process request to request the second processable condition to the management apparatus [col. 9 line 63 through col. 10 line 28];

a second control part controlling the client processing part so as to acquire the third processable condition from the Web service providing apparatus by internally issuing a process request to request the third processable condition to the server processing part [col. 10 lines 29-45];

a determination instruction part causing the condition determination part to make the determination based on the second processable condition and the third processable condition [col. 12 lines 14-45]; and

an information acquisition part acquiring the target information from the management apparatus in accordance with the first processable condition determined by the condition determination part [col. 13 line 19 through col. 14 line 25].

Regarding claim 6, Yamane further discloses the client processing part comprises:

a process request creation part, in response to an instruction issued by the sequence control part, creating a process request, which is to be sent to

the management apparatus, corresponding to the instruction in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14, lines 26-49]; and

a process response interpretation part interpreting a process response, which is received from the management apparatus, corresponding to the process request and informing a result of the interpretation to the sequence control part [col. 13, lines 38-67, Agent interface with Web Server].

Regarding claim 7, Yamane further discloses wherein the service providing part comprises a service execution part executing a process corresponding to a process request received from the requesting apparatus or internally created [col. 5, lines 6-28, application].

Regarding claim 8, Yamane further discloses wherein the server processing part comprises:

a process request interpretation part interpreting the process request to request the process on the target information in accordance with the predetermined protocol [Interceptor FIG. 1 and col. 7, lines 29-65]; and

a process response creation part creating a process response to indicate a result of the process in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14, lines 26-49].

Regarding claim 9, Yamane further discloses wherein the process request interpretation part comprises:

- a determination part determining whether the process request is to acquire the target information from the management apparatus [col. 8, lines 9-50]; and

- a notification part informing the condition acquisition control part of the process request based on a result of the determination made by the determination part [col. 8 line 51 through col. 9 line 20].

Regarding claim 10, Yamane further discloses the process response creation part comprises a control result creation part creating a process response to indicate a result of the control of the condition acquisition control part in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14, lines 26-49].

Regarding claim 11, Yamane further discloses wherein the condition acquisition control part comprises:

- an attribute information acquisition part acquiring attribute information regarding the target information from the management apparatus [col. 9 line 63 through col.10 line 5]; and

- a third control part causing the client processing part to internally issue the process request to request the process on the target information to the client processing part based on the attribute information [col. 10 lines 46-67],

wherein the service providing part executes the process requested by the requesting apparatus via the server processing part based on the attribute information.

Regarding claim 12, Yamane further discloses a display part, the display part comprising:

a first display part displaying a list of selectable apparatuses that a user is allowed to select among apparatuses connected via the communication line [FIG. 6 and col. 21, lines 34-49];

a second display part, when the user selects a desired apparatus from the list of apparatuses, displaying a list of information items managed by the management apparatus [FIG. 7 and col. 21, lines 49-52]; and

an apparatus determination part, when the user designates a desired information item from the list of information items and the desired apparatus from the list of selectable apparatuses, determining the designated apparatus as a processing apparatus to perform the process [col. 20 line 50 through col. 21 line 33].

Regarding claim 13, Yamane further discloses wherein the second display part displays the information items in a reduced size on the display part [FIG. 7 vs. FIG. 6].

Regarding claim 14, Yamane further discloses wherein the requesting apparatus is one of the Web service providing apparatus, the management

apparatus and a terminal connected to each other via the communication line [col. 8 line 51 through col. 9 line 2].

Regarding claim 17, Yamane discloses a method of providing a Web service for a Web service providing apparatus, the method comprising:

a server processing step of controlling receipt of a process request to request a process from a requesting apparatus connected to the Web service providing apparatus via a communication line and transmission of a process response corresponding to the process request to the requesting apparatus in accordance with a predetermined protocol [Manager FIG. 1 and col. 16, lines 19-31];

a condition acquisition control step of controlling, corresponding to an instruction from the server processing step, acquisition of target information designated by the process request from a management apparatus managing the target information based on a first processable condition under which the target information is processable to the management apparatus and the Web service providing apparatus [Agent FIG. 1 and col. 9, lines 22-37]; and

a service providing step of performing the requested process on the target information and informing the server processing step of a result of the process [col. 5, lines 6-28, application].

Regarding claim 18, Yamane discloses a Web service providing apparatus, comprising:

a service providing part managing target information and providing the target information to a processing apparatus, which performs a process on the target information, in accordance with a first processable condition received from the processing apparatus [col. 5, lines 6-28, application];

a process request interpretation part interpreting a process request to request the process in accordance with a predetermined portocol and informing the service providing part of the process [Interceptor FIG. 1 and col. 7, lines 29-65]; and

a process request creation part creating a process response to indicate a result of the process in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14, lines 26-49].

Regarding claim 19, Yamane further discloses wherein the service providing part comprises a processable condition providing part, in response to receipt of a process request to acquire a second processable condition with respect to the processing apparatus, sending a process response to indicate the second processable condition in accordance with the predetermined protocol, and after the transmission of the process response to indicate the second processable condition, the service providing part provides the target information to the processing apparatus in accordance with the first processable condition received from the processing apparatus [col. 5, lines 6-28, application].

Regarding claim 20, Yamane further discloses:

a process request creation part creating the process request to request the process in accordance with the predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface]; and

a process response interpretation part interpreting the received process response corresponding to the process request [col. 13, lines 38-67, Agent interface with Web Server].

Regarding claim 21, Yamane further discloses a display part, the display part comprising;

a first display part displaying a list of selectable apparatuses that a user is allowed to select among apparatuses connected via a communication line [FIG. 6 and col. 21, lines 34-49];

a second display part, when the user selects a desired apparatus from the list of selectable apparatuses, displaying a list of information items managed by the selected apparatus [FIG. 7 and col. 21, lines 49-52]; and

an apparatus determination part, when the user designates a desired information item from the list of information items and the desired apparatus from the list of selectable apparatuses, determining the designated apparatus as the processing apparatus [col. 20 line 50 through col. 21 line 33].

Regarding claim 22, Yamane discloses a method of providing a Web service for a Web service providing apparatus, the method comprising:

a service providing step of managing target information and providing the target information to a processing apparatus to perform a process on the target information based on a first processable condition received from the processing apparatus [col. 5, lines 6-28, application],

a process request interpretation step of interpreting a process request to request the process in accordance with a predetermined protocol and informing the service providing step of the process [Interceptor FIG. 1 and col. 7, lines 29-65]; and

a process request creation step of creating a process response to indicate a result of the process in accordance with the predetermined protocol [Web Server Interface FIG. 1 and col. 14, lines 26-49].

Regarding claim 23, Yamane discloses a terminal, comprising:

a process request creation part creating a process request to cause a first apparatus to acquire target information managed by a second apparatus from the second apparatus and perform a process on the target information in accordance with a predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface];

a process response interpretation part interpreting a process response corresponding to the process request and acquiring a result of the process performed by the first apparatus [col. 13, lines 38-67, Agent interface with Web Server]; and

a display control part displaying the result of the process on a display unit of the terminal [Console FIG. 1 and col. 20, lines 49-65].

Regarding claim 24, Yamane discloses a recording medium for storing a program to cause a terminal to execute a procedure, the procedure comprising:

a process request creation step of creating a process request to request a first apparatus to acquire target information managed by a second apparatus from the second apparatus and perform a process on the target information in accordance with a predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface];

a process response interpretation step of interpreting a process response corresponding to the process request and acquiring a result of the process of the first apparatus [col. 13, lines 38-67, Agent interface with Web Server]; and

a display control step of displaying the result of the process on a display unit of the terminal [Console FIG. 1 and col. 20, lines 49-65].

Regarding claim 25, Yamane discloses a program to cause a terminal to execute a procedure, the procedure comprising:

a process request creation step of creating a process request to request a first apparatus to acquire target information managed by a second apparatus from the second apparatus and perform a process on the target information in

accordance with a predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface];

a process response interpretation step of interpreting a process response corresponding to the process request and acquiring a result of the process of the first apparatus [col. 13, lines 38-67, Agent interface with Web Server]; and

a display control step of displaying the result of the process on a display unit of the terminal [Console FIG. 1 and col. 20, lines 49-65].

Regarding claim 42, Yamane discloses a web service providing apparatus, comprising:

a service providing part performing a process on target information received from a management apparatus managing the target information in accordance with a first processable condition and providing a result of the process to the management apparatus [col. 5, lines 6-28, application];

a process request interpretation part interpreting a process request to request the process in accordance with a predetermined protocol and informing the service providing part of the process [Interceptor FIG. 1 and col. 7, lines 29-65]; and

a process request creation part creating a process response to indicate a result of the process in accordance with the predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface].

Regarding claim 43, Yamane further discloses wherein the service providing part comprises a processable condition providing part, in response to receipt of a process request to acquire a second processable condition with respect to the management apparatus, sending a process response to indicate the second processable condition in accordance with the predetermined protocol, and after the transmission of the second processable condition, the service providing part provides a result of the process on the target information received from the management apparatus in accordance with the first processable condition [col. 5 line 29 through col. 7 line 28].

Regarding claim 44, Yamane further discloses:

- a process request creation part creating the process request to request the process in accordance with the predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface]; and

- a process response interpretation part interpreting the received process response corresponding to the process request [col. 13, lines 38-67, Agent interface with Web Server].

Regarding claim 45, Yamane further discloses a display part, the display part comprising:

- a first display part displaying a list of selectable apparatuses that a user is allowed to select among apparatuses connected via the communication line [FIG. 6 and col. 21, lines 34-49];

a second display part, when the user selects a desired apparatus from the list of selectable apparatuses, displaying a list of information items managed by the selected apparatus [FIG. 7 and col. 21, lines 49-52]; and

an apparatus determination part, when the user designates a desired information item from the list of information items and the desired apparatus from the list of selectable apparatuses, determining the designated apparatus as a processing apparatus [col. 20 line 50 through col. 21 line 33].

Regarding claim 46, Yamane discloses a method of providing a Web service for a Web service providing apparatus, the method comprising:

a service providing step of performing a process on target information received from a management apparatus managing the target information in accordance with a first processable condition and providing a result of the process to the management apparatus [col. 5, lines 6-28, application];

a process request interpretation step of interpreting a process request to request the process in accordance with a predetermined protocol and informing the service providing step of the process [Interceptor FIG. 1 and col. 7, lines 29-65]; and

a process request creation step of creating a process response to indicate a result of the process in accordance with the predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface].

Regarding claim 47, Yamane discloses a terminal, comprising:

a process request creation part creating a process request to cause a first apparatus to perform a process on target information managed by a second apparatus by sending the target information to the first apparatus in accordance with a predetermined protocol [col. 12, lines 22-46, Agent interface with Web Server Interface];

a process response interpretation part interpreting a process response corresponding to the process request and acquiring a result of the process performed by the first apparatus [col. 13, lines 38-67, Agent interface with Web Server]; and

a display control part displaying the result of the process on a display unit of the terminal [Console FIG. 1 and col. 20, lines 49-65].

Regarding claim 48, Yamane discloses a recording medium for storing a program to cause a terminal to execute a procedure, the procedure comprising:

a process request creating step of creating a process request to cause a first apparatus to perform a process on target information managed by a second apparatus by sending the target information to the first apparatus [col. 12, lines 22-46, Agent interface with Web Server Interface];

a process response interpretation step of interpreting a process response corresponding to the process request and acquiring a result of the process performed by the first apparatus [col. 13, lines 38-67, Agent interface with Web Server]; and

a display control step of displaying the result of the process on a display unit of the terminal [Console FIG. 1 and col. 20, lines 49-65].

Regarding claim 49, Yamane discloses a program to cause a terminal to execute a procedure, the procedure comprising;

a process request creating step of creating a process request to cause a first apparatus to perform a process on target information managed by a second apparatus by sending the target information to the first apparatus [col. 12, lines 22-46, Agent interface with Web Server Interface];

a process response interpretation step of interpreting a process response corresponding to the process request and acquiring a result of the process performed by the first apparatus [col. 13, lines 38-67, Agent interface with Web Server]; and

a display control step of displaying the result of the process on a display unit of the terminal [Console FIG. 1 and col. 20, lines 49-65].

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamane as applied to claim 1.

Regarding claim 15, Yamane discloses the claimed invention except for wherein the communication line is one of a network communication line including a wireless LAN, a serial communication line including an infrared communication, and a parallel communication line. Yamane teaches a system providing web service by responding to web page requests. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have communication lines like a wireless LAN, a serial communication line, or a parallel communication line in the system such that the users can communicate with the web service provider to obtain services.

20. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamane as applied to claim 1, and in view of Butterworth et al. (US 2004/0133656 A1, hereinafter Butterworth).

Regarding claim 16, Yamane discloses the claimed invention except for wherein the predetermined protocol is a Simple Object Access Protocol. Butterworth teaches that messages between clients and web services may use SOAP (Simple Object Access Protocol) [para. 0012]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Butterworth's teaching into Yamane's method for the purpose of defining a uniform way of passing XML-encoded data and defining a way to perform remote procedure calls using HTTP (or another transport protocol) as

the underlying communication protocol by using a SOAP, thereby increasing the opportunities for reuse, as the service places essentially no constraints on the platform, language, or location of its clients [para. 0012].

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Lai whose telephone number is (571) 270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai
06JUN2008

/Yves Dalencourt/
Primary Examiner, Art Unit 2157